



Kalamazoo River Cleanup Coalition

"We do not inherit our environment from our Ancestors, but borrow it from our Children."

April 27, 2015

TO: US Senator Stabenow, US Senator Peters, US Congressman Upton, Governor Snyder, State Senator O'Brien, State Representative Hoadley, Kalamazoo Mayor Hopewell

Dear [Elected Official],

Thank you for your ongoing interest in restoring and maintaining ecological balance in the Kalamazoo River watershed. We at the Kalamazoo River Cleanup Coalition ask for your help in securing answers to questions about the presumably forthcoming amended Feasibility Study for cleanup of the former Allied Paper Superfund site in Kalamazoo. As the Environmental Protection Agency moves closer to a Record of Decision for the Allied site, we seek your commitment to ensure that relevant agencies at the federal, state, and local level will address our ongoing concerns and questions.

As you know, only total removal of all contaminants from the site will best promote ecological restoration, public health improvement, social justice, and economic growth in the Kalamazoo area. However, we understand that the EPA may elect for a "waste in place" option, given the significant financial costs of presented in the complete removal of all contaminants.

If the EPA does not pursue total removal of all contaminants from the site, we have several significant concerns about the future of the site and the surrounding environment. With help from our board, community residents, and subject matter experts, we have developed a list of questions that fall into five broad categories of concern: stakeholder representation in the process of amending the draft Feasibility Study; the protective standard used for choosing among the Feasibility Study options; the long-term monitoring, maintenance, and indemnity of the site; what the EPA's experience of other sites, over the long-term, suggests for the safety of this site; and the impact of the actual cleanup process on the neighboring residential community.

Stakeholder Representation

Are local stakeholders adequately represented in the ongoing feasibility study? Residents? Neighboring property owners? Elected officials? Scientific community? Public health officials?

Protective Standard

If the EPA's elects, in its Record of Decision, one of the "waste-in-place" options, what safeguards will it provide to protect the human health of Kalamazoo City drinking water customers, and area residents? The ecosystem?

If the EPA's selected option makes any part of the site available for public use, what level of "clean" is acceptable in those areas of the site?

If the EPA's selected option makes any part of the site available for public use, how will public use of the site affect the containment of contaminants at the site?

If the EPA's Record of Decision does not include total removal of contaminants, what assurance do we have (if any) that contaminants will not penetrate the upper aquifer under the site? Based upon what scientific evidence? If any contaminant waste is stored at the site for an indefinite period of time, what is the estimated risk of onsite storage compared to "equivalent" storage in a TSCA landfill?

Long-Term Monitoring, Costs, Ownership, and Indemnity

Will the EPA fund its preferred option entirely with funds from the bankruptcy trust, or are additional funds necessary?

If additional funds are necessary, what sources will EPA pursue?

What is the long-term plan for ownership and control of the site once the EPA completes its remedial activities?

Who is responsible for long-term monitoring at the site once the EPA completes its remedial activities?

What is the estimated cost for long-term monitoring at the site and who will pay?

What is the plan for long-term monitoring at the site to ensure that contaminants are contained on site?

If and when future adverse human health effects from the contaminants occur or are identified, who is legally responsible for medical costs and damages?

After EPA removes the site from the National Priorities List, who will be responsible should stored contamination there migrate to the surface, into the creek, or into the upper aquifer and require further remediation?

If any portion of the site is redeveloped and sold to a private owner, will any public agency indemnify the new owner against possible liability stemming from pre-existing contamination?

Context of Other Superfund Sites

Are there any Superfund sites in the United State where the EPA left "waste in place" in an area directly above an aquifer used for municipal drinking water?

Are there any Superfund sites in the United State where the EPA left "waste in place" in an area where contaminants later migrated out of the intended landfill?

Nuisance Impact

If the EPA selects a "waste in place" option that requires contaminated soil to be piled up, will this create a public eyesore? What characteristics will be visible from the road? From neighboring properties?

Whatever option the EPA selects, how will the remediation process disrupt the site? The surrounding area? The entire city? How does this anticipated disruption compare to the anticipated disruption that would result from total removal?

We, and the citizens of Kalamazoo, need your help in obtaining answers to these questions before the EPA's cleanup option selection process is too far along for us to provide meaningful input on the possible options for the site. We have been asking these questions for a long time and we can't wait any longer.

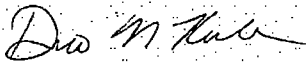
Please contact Gary Wager, KRCC Executive Director, at glwager@gmail.com at your earliest convenience to confirm your commitment to seeking answers to these issues, or to communicate any questions or concerns that you might have about this request. The Allied Paper Inc./Portage Creek/Kalamazoo River Superfund Site has burdened our community for decades, and as the EPA moves closer to issuing a Record of Decision, we need to stand together to make sure that Kalamazoo's best interests are fully represented.

Thank you for your attention to this matter.

Sincerely,



Gary Wager
Executive Director, KRCC



Denise M. Keele
President of the Board of Directors, KRCC